

VINCENT JACOBO,
Plaintiff,

v.

MINOR, et al.,
Defendants.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. [14-cv-05185-JSC](#)

**ORDER DIRECTING PLAINTIFF TO
SUBMIT IDENTIFYING
INFORMATION RE. UNSERVED
DEFENDANTS; GRANTING
EXTENSION OF TIME; DENYING
APPOINTMENT OF COUNSEL**

Dkt. Nos. 14, 17, 18

Plaintiff, an inmate at the San Francisco County Jail, filed this pro se civil rights action under 42 U.S.C. § 1983. The amended complaint names four defendants: San Francisco Sheriff's Department employees working at the jail who allegedly used excessive force against Plaintiff. The Court previously found the claims cognizable and ordered the United States Marshal to serve the four defendants at the jail. Service was executed upon Defendants Lieutenant Minor and Deputy Neu. Service could not be completed upon Defendants Deputy Jones and Deputy Gray because there are multiple employees at the jail with those last names and Plaintiff did not provide further identifying information for them.

Plaintiff has written to the Court asking what he should do about the unserved Defendants. Plaintiff must submit to the Court sufficient information about Defendants Jones and Gray to allow them to be identified and served, such as their first and middle names, first and middle initials, and/or badge numbers. Plaintiff must provide this information to the Court or show cause why he cannot within **28 days** of the date this order is filed or the claims against them will be dismissed without prejudice under Rule 4(m) of the Federal Rules of Civil Procedure.

Plaintiff's motion for appointment of counsel is DENIED. There is no constitutional right

1 to counsel in a civil case. *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). Section
2 1915 confers on a district court only the power to "request" that counsel represent a litigant who is
3 proceeding in forma pauperis, not the power to "appoint" counsel. 28 U.S.C. § 1915(e)(1).
4 Plaintiff is capable of presenting his claims effectively, and the issues, at least at this stage, are not
5 complex. The Federal Rules of Civil Procedure allow sufficient means for Plaintiff to seek and
6 obtain discovery, including written depositions. See, e.g., Fed. R. Civ. P. 31, 33, 34, 36. If the
7 circumstances of this case materially change, this decision will be reconsidered by the Court on its
8 own motion; Plaintiff should not continue to request appointment of counsel.

9 The request for an extension of time by Defendants Neu and Minor in which to file an
10 answer is GRANTED to and including May 29, 2015.

11 **IT IS SO ORDERED.**

12 Dated: May 13, 2015

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United States District Court
Northern District of California

JACQUELINE SCOTT CORLEY
United States Magistrate Judge
